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Appropriations Policy Brief

H.R. 3058 – Transportation, Treasury, HUD, Judiciary, and District of Columbia Appropriations Act for FY 2006

BY THE NUMBERS:

In Millions of Dollars

	FY05	FY06 Bush Request	FY06 Committee	Cmte v. Request	Cmte v. FY05
Appropriations	66,422	60,703	66,935	+6,232	+513
<i>Emergency Approps</i>	<i>1,459</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>-1,459</i>
TOTAL	67,881	60,703	66,935	+6,232	-946

Excluding Emergency Appropriations, the Committee Bill is:

- **\$513 million (0.8%) more than last year**
- **\$6.2 billion (10.2%) more than the request**

H.R. 3058 exceeds the request *in part* because the Committee chose not to adopt the President's Strengthening America's Grant Program reforms. This proposal would have consolidated and transferred a number of grant programs, including the Community Development Grant Program, from the Housing Department to Commerce. As a result, this is one reason why the allocation for the Science, State Justice, and Commerce Appropriations Subcommittee is below the request.

Budget Compliance: According to CBO, the bill is within the 302(b) allocation of the Transportation, Treasury, and HUD Appropriations Subcommittee.

Unauthorized Appropriations: According to the Committee report, the bill appropriates \$48,944,056 for unauthorized appropriations. The Rules of the House prohibit this practice, but the rule governing consideration of the bill waives this restriction.

Items of Note:

Essential Air Service (EAS): Provides \$104 million (an increase of \$2 million) for EAS. The program was created in 1978 to continue air service to communities that received mandated air service prior to deregulation. In the past, some conservatives have expressed concerns that the program was meant to be transitional, that it should be phased out, and that the subsidy per passenger (up to \$200) is particularly high. The Congressional Budget Office estimates that eliminating EAS would save \$1.2 billion over ten years.

Amtrak: Contains \$550 million for Amtrak, a decrease of \$657 million over last year's enacted level and \$190 million more than the request. The bill specifically prohibits funding for eighteen Amtrak routes that operate with a high subsidy level (\$30 per passenger or greater). The Committee Report notes that the 24 remaining Amtrak routes eligible for federal funding represented more than 80% of Amtrak's passengers in 2004. In addition, the bill earmarks \$50 million for capital investments to the Northeast Corridor.

Mass Transit: Includes \$8.5 billion for the Federal Transit Administration, an increase of \$836 million over last year's enacted level and \$701 million above the President's request.

Member Pay Raise: Does **NOT** include a pay increase for Members of Congress. The pay increase is automatic under existing law unless Congress enacts legislation blocking the pay raise. Any amendment seeking to do so would be deemed out of order.

Housing Certificate Fund Rescission: Rescinds \$2.5 billion in unobligated balances from the Section 8 rental assistance programs as proposed by the Administration.

Native Hawaiian Funding: Includes over \$10 million to fund various programs for Native Hawaiians, including the Native Hawaiian Housing Block Grant and the Loan Guarantee Fund Program. Some conservatives may be concerned that such benefits are being dispensed as if Native Hawaiians constitute an Indian tribe. However, Native Hawaiians are a racial group – not a tribe – and dispensing benefits to them would likely be subject to strict scrutiny in federal courts. For more information on why Native Hawaiians are not a tribe and why they should not be made into a tribe, please see the following brief from the Senate Republican Policy Committee: <http://rpc.senate.gov/files/Jun2205NatHawSD.pdf>

Domestic Partner Benefits in the District of Columbia: Maintains the provision that prohibits federal funds, but NOT District funds from being used to provide employment, health, or governmental benefits to unmarried (whether heterosexual or homosexual) domestic partners.

Abortion Funding Ban in the District of Columbia: Maintains the prohibition on the use of federal or District funds for abortions (except for the life of the mother or in cases of rape or incest).

Self-Determination for the District of Columbia: Maintains the prohibition on the use of federal or District funds to seek voting representation in Congress or statehood for the District.

Needle Exchange in the District of Columbia: Maintains the prohibition on the use of federal or District Funds for the operation of needle exchange programs.

Medical Marijuana in the District of Columbia: Maintains the prohibition on the use of federal or District funds to implement any medical marijuana program.

Anacostia Waterfront Initiative: Provides \$5 million for the Anacostia Waterfront Initiative. Last year, \$3 million was provided for the project. According to the Appropriations Committee, the initiative is a multi-year project to revitalize the communities along the Anacostia River by designing and constructing a pedestrian and bike path from the Potomac River to the Maryland border.

Abortion Funding Ban in the FEHBP: Maintains the prohibition on the use of funds for abortions through the Federal Employee Health Benefit Program (except for the life of the mother or in cases of rape or incest).

Presidential Terminations and Reductions:

Overview: According to the Committee, the bill terminates 11 programs and saves \$446 million. The Administration proposed 13 specific terminations and reductions, saving \$1.1 billion. The Committee chose to adopt only two of these terminations and two of these reductions (at higher levels than requested), saving \$391 million with regard to these selected programs.

Next Generation High Speed Rail: Reduces from \$19 million to \$10.2 million funding for the Next Generation High Speed Rail program. The program funds research and development for high-speed rail. The Administration proposed to terminate the program and have such research compete against other projects under the Federal Railroad Administration's existing research and development program.

National Defense Tank Vessel Construction Program: Provides no new funding for the National Defense Tank Vessel Construction Program, which provides subsidies to construct commercial oil tankers that could be used in wartime or national emergency as part of the Maritime security fleet. The Administration proposed to terminate the program and rescind \$74 million appropriated in FY05 (not adopted by the Committee), citing a similar ineffective ship construction program that was terminated in 1981.

Railroad Rehabilitation and Improvement Financing Loan Program (RRIF): Retains RRIF which provides loan subsidies for the improvement and rehabilitation of rail infrastructure. No appropriation is made to the program, but the Administration proposed its termination to reduce the government's exposure to costly defaults.

Facilities and Equipment Program: Increases funding for the FAA's Facilities and Equipment program from \$2.5 billion to \$3.1 billion. This program provides funds for the FAA to modernize its information technology. The Administration proposed to reduce funding for the program to \$2.5 billion, saving \$77 million, as a result of consistently large cost overruns.

Airport Improvement Program: Increases funding for the Airport Improvement Program from \$3.5 billion to \$3.6 billion which provides funds to rehabilitate and expand runways, taxiways, and facilities. The Administration proposed \$3 billion for the program, saving \$497 million.

IRS Taxpayer Service Program: Increases funding for the IRS “processing, assistance, and management” account from \$4.1 billion to \$4.2 billion, which contains funding for the Taxpayer Service Program. It appears from the Committee Report that the bill does not endorse the Administration’s proposal to reduce funding for this program and decrease walk-in taxpayer assistance centers (TACs).

Strengthening America’s Grant Program: Declines to consolidate and transfer a number of economic development programs from the Housing Department to Commerce, including Community Development Block Grants (\$3.9 billion or \$250 million below last year’s level), as requested by the Administration. This proposal would have saved \$1.6 billion.

HOPE VI: Terminates \$143 million in funding for the Revitalization of Severely Distressed Public Housing Program (HOPE VI), which provides grants to public housing authorities to demolish public housing units. The Administration proposed this termination, because the program was enacted with the goal of demolishing 100,000 dangerous units and that goal has been surpassed (117,000 units through 2004).

Housing for Persons with Disabilities: Retains the \$238 million for the Housing for Persons with Disabilities program, to construct and rebuild group homes and for low-income persons with disabilities. The Administration proposed to scale the program back to \$120 million, citing cost overruns and construction delays.

Native American Housing Block Grant: Reduces funding for the Native American Housing Block Grant program from \$622 million to \$600 million which provides funds to Native American tribes to improve poor housing conditions. The Administration requested a larger reduction (\$522 million) in funding because the program has been unable to demonstrate results and there remains significant unspent balances that could be used to maintain services.

Public Housing Capital Fund: Increases funding for the Public Housing Capital Fund from \$2.58 billion to \$2.6 billion to renovate local public housing. The Administration proposed to reduce such funding by \$252 million.

High Intensity Drug Trafficking Areas Program: Increases funding for the Office of National Drug Control Policy’s High Intensity Drug Trafficking Areas Program from \$226.6 million to \$227 million. This program assists those programs most affected by drug trafficking. The Administration proposed total funding of \$100 million in order to focus resources on a smaller number of areas. For instance, the program’s resources now flow to 28 large areas encompassing 60% of the nation’s population.

National Historical Publications and Records Commission (NHPRC) Grant Program: Increases funding for the National Archives’ program from \$5 million to \$7.5 million. This program provides grants to states, localities, and other institutions to preserve historical records. The Administration proposed no new funding for the program, to save \$5 million.

Postal Service Revenue Foregone: Increases funding for the “revenue foregone” appropriation from \$29 million to \$43 million. This program reimburses USPS for the cost of offering reduced rates to non-profit mailers (mandated by law). The Administration proposed to eliminate this program based on legislation enacted (P.L. 108-18) in 2003 that lowered USPS’ pension payments “more than compensating the organization for the loss of this small revenue foregone appropriation.”

Earmarks:

Included in the bill **TEXT** (mostly for new GSA construction or repairs):

- \$231 million for U.S. Courthouse, San Diego, CA
- \$4.7 million for Denver Federal Center Infrastructure, CO
- \$24.9 million for Coast Guard consolidation, DC
- \$13.1 million for Saint Elizabeth’s West Campus Infrastructure, DC
- \$15 million for Southeast Federal Center Site Remediation, DC
- \$50.1 million for Calais Border Station, ME
- \$12.8 million for Jackman Border Station, ME
- \$127.6 million for Montgomery County, Food and Drug Administration, MD
- \$52.5 million for Champlain Border Station, NY
- \$49.8 million for Massena Border Station, NY
- \$3 million for U.S. Courthouse, Austin, TX
- \$46.5 million for Blaine-Peace Arch Border Station, WA
- \$67.8 million for various projects, WA
- \$16.1 million for James A. Walsh Courthouse, Tucson, AZ
- \$133.4 million for Eisenhower Executive Office Building
- \$54.5 million for the Herbert Hoover Building
- \$30.1 million for Martin Luther King, Jr. Federal Building, Atlanta, GA
- \$96.9 million for the Emmanuel Celler Courthouse, Brooklyn, NY
- \$9.7 million for the James Watson Federal Building and Courthouse, NYC
- \$3 million “to reimburse fixed-base general aviators” at Ronald Reagan Washington National Airport for financial losses incurred as a result of the airports being closed after September 11th.

Included in the Committee Report:

- Air traffic control tower replacement (see pages 14-15 of the report for a list of the projects)

Funding Summaries:

In Thousands

	FY 2005 Enacted	FY 2006 Request	FY 2005 Cmte	Cmte vs FY 2005	House vs Request	House vs FY 2005	House vs Request
Transportation Department							
Office of the Secretary.....	86,536	87,046	84,193	-2,343	-2,853	-2.71%	-3.28%
Salaries and Expenses.....	86,536	87,046	84,193	-2,343	-2,853	-2.71%	-3.28%
Minority Business Resource Center Program.....	893	900	900	7	0	0.78%	0.00%
Minority Business Outreach.....	2,976	3,000	3,000	24	0	0.81%	0.00%
Office of Civil Rights.....	8,630	8,550	8,550	-80	0	-0.93%	0.00%
Federal Aviation Administration.....	10,342,460	11,384,000	11,295,920	953,460	-88,080	9.22%	-0.77%
Operations.....	7,712,800	8,051,000	8,042,920	330,120	-8,080	4.28%	-0.10%
Facilities & Equipment.....	2,519,680	2,448,000	3,053,000	533,320	605,000	21.17%	24.71%
Research, Engineering, and Development.....	129,880	130,000	130,000	120	0	0.09%	0.00%
Grants-in-Aid for Airports.....	3,232,000	1,931,000	3,131,000	-101,000	1,200,000	-3.13%	62.14%

Federal Highway Administration, Total.....	35,833,875	35,439,000	37,026,100	1,192,225	1,587,100	3.33%	4.48%
Federal Motor Carrier Safety Administration, Total.....	446,027	465,000	501,000	54,973	36,000	12.33%	7.74%
National Highway Traffic Safety Administration, Total..	298,195	696,367	782,367	484,172	86,000	162.37%	12.35%
Federal Railroad Administration, Total.....	1,431,945	552,274	732,439	-699,506	180,165	-48.85%	32.62%
Railroad Research and Development.....	35,737	46,325	26,325	-9,412	-20,000	-26.34%	-43.17%
Railroad Rehabilitation and Improvement Program.....	6,000	0	0	-6,000	0		
Next Generation High Speed Rail.....	19,493	0	10,165	-9,328	10,165	-47.85%	
Alaska Railroad Rehabilitation	24,800	0	0	-24,800	0		
Amtrak	1,207,264	360,000	550,000	-657,264	190,000	-54.44%	52.78%
Federal Transit Administration, Total.....	7,646,336	7,781,000	8,482,000	835,664	701,000	10.93%	9.01%
Saint Lawrence Seaway Development Corporation.....	15,773	8,000	16,284	511	8,284	3.24%	103.55%
Maritime Administration.....	305,102	219,776	290,791	-14,311	71,015	-4.69%	32.31%
Pipeline and Hazardous Materials Safety Administration.	69,409	116,716	116,270	46,861	-446	67.51%	-0.38%
Surface Transportation Board.....	20,030	23,138	25,372	5,342	2,234	26.67%	9.66%
Research and Innovative Technology Admin.....	46,738	6,274	4,326	-42,412	-1,948	-90.74%	-31.05%
Treasury Department							
Departmental Offices.....	156,299	195,253	187,452	31,153	-7,801	19.93%	-4.00%
Dep't Wide Systems & Capital Investments.....	32,002	24,412	21,412	-10,590	-3,000	-33.09%	-12.29%
Inspector General.....	16,368	16,722	17,000	632	278	3.86%	1.66%
Inspector General for Tax Administration.....	128,093	133,286	133,286	5,193	0	4.05%	0.00%
Air Transportation Stabilization Program.....	1,984	2,942	2,500	516	-442	26.01%	-15.02%
Treasury Bldgs & Annex Repair.....	12,217	10,000	10,000	-2,217	0	-18.15%	0.00%
Financial Crimes Enforcement Network.....	71,922	73,630	73,360	1,438	-270	2.00%	-0.37%
Financial Mgmt Service.....	229,083	236,243	236,243	7,160	0	3.13%	0.00%
Bureau of Alcohol, Tobacco & Firearms.....	82,336	91,126	91,126	8,790	0	10.68%	0.00%
Bureau of the Public Debt.....	173,765	176,923	176,923	3,158	0	1.82%	0.00%
IRS, Total.....	10,236,086	10,679,261	10,549,042	312,956	-130,219	3.06%	-1.22%
Housing and Urban Development Department							
Tenant-based Rental Assistance.....	18,965,920	20,045,194	19,731,400	765,480	-313,794	4.04%	-1.57%
Native American Housing Block Grants.....	621,984	582,600	600,000	-21,984	17,400	-3.53%	2.99%
Indian Housing Loan Guarantee Fund	4,960	2,645	2,645	-2,315	0	-46.67%	0.00%
Native Hawaiian Housing Block Grant.....	8,815	8,815	8,815	0	0	0.00%	0.00%
HOPE VI.....	142,848	0	0	-142,848	0	-100.00%	
Housing Opportunities for Persons with Aids.....	281,728	268,000	285,000	3,272	17,000	1.16%	6.34%
Rural Housing and Economic Development.....	23,808	0	10,000	-13,808	10,000	-58.00%	
Empowerment Zones.....	9,920	0	0	-9,920	0	-100.00%	
Community Development Block Grants/Fund.....	4,671,328	0	4,151,500	-519,828	4,151,500	-11.13%	
Brownfields.....	23,808	0	0	-23,808	0	-100.00%	
Home Investment Partnerships Program.....	1,899,690	1,941,000	1,900,000	310	-41,000	0.02%	-2.11%
Homeless Assistance Grants.....	1,240,511	1,440,000	1,340,000	99,489	-100,000	8.02%	-6.94%
Self-Help Homeownership Program.....	24,800	30,000	30,000	5,200	0		0.00%
Housing for the Elderly.....	741,024	741,000	741,000	-24	0	0.00%	0.00%
Housing for Persons with Disabilities.....	238,080	119,900	238,100	20	118,200	0.01%	98.58%
Housing Counseling Assistance.....	41,700	39,700	41,700	0	2,000	0.00%	5.04%
Rental Housing Assistance.....	0	26,400	26,400	26,400	0		0.00%
Research and Technology.....	45,136	69,738	60,600	15,464	-9,138	34.26%	-13.10%
Fair Housing Activities.....	46,128	38,800	38,800	-7,328	0	-15.89%	0.00%
Inspector General.....	79,360	79,000	79,000	-360	0	-0.45%	0.00%
Judiciary							
Supreme Court.....	67,218	66,354	66,354	-864	0	-1.29%	0.00%
Court of Appeals for the Fed Circuit.....	21,520	26,462	24,613	3,093	-1,849	14.37%	-6.99%
Court of International Trade.....	14,713	15,480	15,480	767	0	5.21%	0.00%

Courts of Appeals, District Courts, S&E.....	4,125,321	4,482,889	4,348,780	223,459	-134,109	5.42%	-2.99%
Courts of Appeals, District Courts, Total.....	5,184,204	5,716,420	5,514,046	329,842	-202,374	6.36%	-3.54%
Federal Judicial Center.....	21,447	22,876	22,249	802	-627	3.74%	-2.74%
U.S. Sentencing Commission.....	13,126	14,700	14,046	920	-654	7.01%	-4.45%
District of Columbia (Federal)							
Residential Tuition Support.....	25,395	33,200	33,200	7,805	0	30.73%	0.00%
Emergency Planning and Security.....	14,880	15,000	15,000	120	0	0.81%	0.00%
DC Courts.....	189,274	221,693	221,693	32,419	0	17.13%	0.00%
Defender Services in DC Courts.....	38,192	45,000	45,000	6,808	0	17.83%	0.00%
Court Services and Offender Supervision Agency.....	178,560	203,388	203,388	24,828	0	13.90%	0.00%
DC Water and Sewer Authority.....	4,762	0	10,000	5,238	10,000	110.00%	
Anacostia Waterfront Initiative.....	2,976	5,000	5,000	2,024	0	68.01%	0.00%
Criminal Justice Coordinating Council.....	1,290	1,300	1,300	10	0	0.78%	0.00%
Public School Libraries.....	5,952	0	0	-5,952	0	-100.00%	
Family Literacy Program.....	992	0	0	-992	0	-100.00%	
Foster Care Improvements.....	4,960	0	0	-4,960	0	-100.00%	
School Improvements.....	39,680	41,616	41,616	1,936	0	4.88%	0.00%
Postal Service							
Payment to the Postal Service Fund.....	28,768	0	43,350	14,582	43,350	50.69%	
Executive Office of the President							
White House.....	183,179	183,271	173,983	-9,196	-9,288	-5.02%	-5.07%
Office of Management and Budget.....	67,864	68,411	76,930	9,066	8,519	13.36%	12.45%
Office of Nat Drug Control Policy Salaries & Exp.....	68,448	54,224	56,908	-11,540	2,684	-16.86%	4.95%
High Intensity Drug Trafficking Areas Program.....	226,523	0	227,000	477	227,000	0.21%	
Unanticipated Needs.....	992	1,000	1,000	8	0	0.81%	0.00%
Independent Agencies							
Federal Elections Commission.....	51,742	54,600	54,700	2,958	100	5.72%	0.18%
Federal Labor Relations Commission.....	25,468	25,468	25,468	0	0	0.00%	0.00%
Federal Building Fund.....	7,217,043	7,768,795	7,768,795	551,752	0	7.65%	0.00%
GSA, Total.....	108,898	219,078	217,078	108,180	-2,000	99.34%	0.00%
Merit System Protection Board - Sal & Exp.....	37,005	37,005	38,205	1,200	1,200	3.24%	3.24%
Morris Udall Foundation.....	3,279	700	3,900	621	3,200	18.94%	457.14%
Nat. Archives & Records Admin -Operating Exp.....	264,809	280,975	283,975	19,166	3,000	7.24%	1.07%
Nat Archives & Records Admin -Repairs.....	13,325	6,182	6,182	-7,143	0	-53.61%	0.00%
Nat Archives & Records Admin - Grants.....	4,960	0	7,500	2,540	7,500	51.21%	

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